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To:	Examiner Chuck Kendall	From:	Fred G. Pruner, Jr.
Company:	U.S. Patent and Trademark Office	Date:	April 8, 2002
Fax:	703-746-7239	Pages:	4
Serial No.:	09/272,845	Our Ref:	MCT.0088US

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☒ Confirm Receipt

MESSAGE:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Douglas L. Rollins	§	Group Art Unit:	2122
Serial No.:	09/272,845	§		
Filed:	March 19, 1999	§	Examiner:	Chuck O. Kendall
For:	SOFTWARE MODULE UPDATE	§	Atty. Dkt. No.:	MCT.0088US (MUEI-0471.00/US)

Commissioner for Patents
Washington, DC 20231

REPLY TO OFFICE ACTION DATED FEBRUARY 6, 2002

Dear Sir:

Please cancel claims 33-40 without prejudice.

REMARKS

In an Office Action mailed on February 6, 2002, an objection was made to the claim numbering; claims 41 and 43 were rejected under 35 U.S.C. § 112, first paragraph; claims 33-40 were rejected under 35 U.S.C. § 102(a) as being anticipated by Apfel; claims 1-6, 8-22, 24-32 and 41-44 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Apfel in view of Furner; and claims 7 and 23 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Apfel in view of Furner and further in view of alleged admitted prior art. Claims 33-40 have been canceled, thereby rendering the objection to the claim numbering as well as the § 102 rejections of claims 33-40 moot. The remaining rejections are discussed in the corresponding sections below.

§ 112, First Paragraph Rejections:

Claims 41 and 43 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification. In particular, the Examiner states that the specification allegedly does not show the date to establish compatibility between the claimed first and second programs. However, contrary to the Examiner's contentions, beginning on line 27 of page 5 of the application, the specification discusses using only driver versions before a

Date of Deposit: April 8, 2002
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Debra Cutrona
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